

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION**

Jimmy Mays,	)	
	)	Civil Action No. 8:14-cv-00371-JMC
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
Carolyn W. Colvin, Acting Commissioner of Social Security Administration,	)	
	)	
	)	
Defendant.	)	
	)	

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This matter is before the court upon motion of Plaintiff, through her attorney, Paul McChesney, for an award of attorney's fees under the Equal Access to Justice Act ("EAJA") and costs, 28 U.S.C. § 2412(d). (ECF Nos. 30, 30-6.) Plaintiff's original motion, filed on August 16, 2015, sought reimbursement for her counsel's representation in the captioned matter in the amount of \$4,226.36 in attorney's fees. (*Id.*) In a Joint Stipulation, filed on September 2, 2015, the parties agreed to stipulate that Plaintiff instead be awarded \$4,026.36 in attorney's fees. (ECF No. 31 at 1.)

The court has reviewed Plaintiff's counsel's original fee petition (ECF Nos. 30, 30-6) and the Joint Stipulation (ECF No. 31 at 1) and finds that Plaintiff is entitled to an award of attorney's fees under the EAJA in the amount of \$4,026.36. *See* 28 U.S.C. §§ 2412(c)(1), 2414; *Shalala v. Schaefer*, 509 U.S. 292, 302–03 (1993). In accordance with *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528–29 (2010), EAJA fees awarded by this court belong to the litigant, thus subjecting EAJA fees to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)) and, therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff's counsel.

Plaintiff's Motion for Attorney's Fees (ECF Nos. 30, 30-6) therefore is **GRANTED**, as amended by the Joint Stipulation (ECF No. 31).

**IT IS SO ORDERED.**



United States District Judge

November 3, 2015  
Columbia, South Carolina